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Letter to Brand Inspectors

May 6, 2013

- 1. It is our job to protect our livestock producers and we are remiss when inspections are not written correctly. We have had several calls from out of state as well as our local sale yard inspectors regarding mistakes made on our Nevada brand inspection certificates. The out of state sale yards have a Nevada brand book and know how the certificate should have been written. Your credibility is in question whenever this happens. We have also found out of state sale yards that have failed to write the checks to the legal brand owner, and instead let someone else claim the money without checking further. We really need to make sure that we do everything correctly on our end so that we are not liable and the responsibility falls on the sale yard.**
- 2. ALWAYS write brand inspections in the legal brand owners' name as it appears in the brand book. It does not matter how they want it written, it has to be written as legally recorded. If they tell you it has changed, check with the office. If they want it any other way they need to change the recordation. It does not matter if someone is leasing the ranch, if their name is not on the brand (check your book or check with the office) do not write the inspection with the lessee's name on it. They can sign as agent for the person they are leasing the ranch from, but do not put their name in the header. In past "Running Irons" this office has repeatedly asked that you make sure to check the legal recording before finalizing the transaction. Remember, you as a brand inspector can be liable for documenting certificates illegally. Our recent wreck involves a party who had a contract to sell their ranch, the proposed purchaser made the agreement to replace older cattle with his own. Because of the drought these animals were taken out of state for the winter with the understanding that they would be brought back in the spring. The inspection had both parties listed on the inspection; however once they crossed the state line these cows were taken straight to a sale yard and allowed to sell in the prospective ranch buyers name. Now we are involved in a theft investigation. It does not matter what their contract says, it does not matter if there is a LLC in place, the owner listed has to be on the inspection as it is in the brand book.**
- 3. Recently we have had livestock owners stop by the office for an inspection, in checking the book and with the brand recorder we found that the brand on the animals was never renewed. As I stated in the last "Running Iron" if someone has already picked up this "lost to record" iron, proving ownership could become an issue.**

- 4. Any inspections that require a corrected certificate, please contact this office with necessary information so that the correction can be written out of Elko. We have had occasions when you have written the inspection correctly, but because of the transaction someone else wants their name added. We need to ensure that this can be done legally.**
- 5. No brand inspection will be issued after the fact without clearing it through the Administrator or Enforcement Supervisor. If we don't clear it there is a legitimate reason.**
- 6. PLEASE make sure when doing an inspection the people transporting the livestock have a copy of the brand inspection with them. They need to be in possession of an inspection in case they get stopped by enforcement. I know it is not always convenient and they don't want to be bothered with getting the paperwork to travel on, but too bad. We have to try to keep them legal.**
- 7. There will be no more warning citations issued for brand inspection or health requirement violations. When people start having to tell it to the judge and face a monetary fine we should have better compliance.**
- 8. When doing out of state pasture cattle inspections in the fall, do not write the ranch owner or the ranch managers name in the header, and the ranch name should only appear in the "place of inspection". By fall shipping you will have an updated list of temporary brands to refer to for proper brand recording; some pasture cattle have brands that have a permanent recording, so please refer to the book as well. If you have any questions call the office or one of us at home.**
- 9. Please take the extra time to question people if it is not a straight forward inspection. You may find out that what they are asking you to do is not legal.**